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VIA ECF

Hon. Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

The Parties' joint Letter-Motion to stay this action (ECF No. 24) is GRANTED. This action is stayed until **Tuesday, August 4, 2020**. The Clerk of Court is respectfully directed to close ECF No. 24.

SO-ORDERED 3/17/2020


SARAH L. CAVE
United States Magistrate Judge

Re: **Matzura v. Eddie Bauer LLC, Civil Action No. 1:19-cv-10143-LTS-SLC**

Dear Judge Swain:

This Firm represents Defendant Eddie Bauer LLC ("Defendant") in the above-referenced matter. We have conferred with Plaintiff's counsel and write, with Plaintiff's concurrence, to jointly request a stay of this action until August 4, 2020.

By way of background, the current deadline for Defendant to file a motion to dismiss Plaintiff's First Amended Complaint is April 6, 2020. (ECF No. 23.) If the Court does not stay this matter, Defendant will file its motion to dismiss by April 6, 2020.

The parties respectfully request that this action be stayed to allow for the resolution of motions to dismiss in similar matters arising out of alleged violations of Title III of the Americans with Disabilities Act based on gift cards that do not include Braille, which are currently pending before the Court and other judges in this District and the Eastern District of New York. The stay would allow the parties to have the benefit of the Court's analysis of the issues in other matters, which will inform their assessment of the pending case. It will also conserve resources of both the parties and the Court. Similar stays were recently granted on the same grounds by Judge Woods in *Calcano v. Domino's Pizza, Inc.*, Case No. 1:19-cv-09823-GHW (S.D.N.Y.) (ECF No. 24) and *Delacruz v. Jamba Juice*, Case No. 1:19-cv-10321-GHW (S.D.N.Y.) (ECF No. 20), by Judge Abrams in *Delacruz v. Five Below, Inc.*, Case No. 19-cv-10294-RA (S.D.N.Y.) (ECF No. 16), *Mendez v. The Men's Wearhouse, Inc.*, Case No. 1:19-cv-11765-RA (S.D.N.Y.) (ECF No. 15), and *Matzura v. New Balance Athletics, Inc.*, Case No. 1:19-cv-11344-RA (S.D.N.Y.) (ECF No. 18), by Judge Failla in *Calcano v. Guess ?, Inc.*, Case No. 1:19-cv-10441-KPF (S.D.N.Y.) (ECF No. 18), by Judge Ramos in *Dominguez v. Marshalls of MA, Inc.*, Case No. 1:19-cv-10626 (S.D.N.Y.) (ECF No. 20) and by Judge Caproni in *Calcano v. Drybar Holdings LLC*, Case No. 1:19-cv-11389-VEC (S.D.N.Y.) (ECF No. 10.) These orders are enclosed for the Court's convenience. Additionally,

Judge Furman issued an order, *sua sponte*, stating that the court was inclined to stay *Thorne v. CVS Health Corporation*, Case No. 1:19-cv-09866-JMF (S.D.N.Y.) (ECF No. 24) until it has resolved the first of the motions to dismiss, filed by the defendant in *Mendez v. Papa John's USA, Inc.*, Case No. 19-CV-9892.

We thank the Court for its time and attention to this matter, and for its consideration of this application.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ John W. Egan

John W. Egan

Enclosures

cc: All counsel of record (via ECF)